

**Raymond Planning Board Minutes**  
**November 12, 2009**

**Approved 11/19/09**

**Place:** Raymond High School; Media Center  
**Call to Order:** 7:00 p.m.

**Members Present:** Jonathan Wood, Chairman; Carolyn Matthews, Vice Chairman; Jim Kent, Secretary; Jack Barnes, Alternate Selectmen's Ex-Officio; Gretchen Gott; Bill Cantwell.

**Staff Present:** Ernest Cartier Creveling, Community Development Director; Robert Price, Planning Technician.

**Pledge of Allegiance**

Jonathan Wood announced that the Planning Board is currently seeking Alternate members, as there are none, and can be up to five. Additionally, Mr. Wood announced that the Planning Board is seeking someone to fill the vacant seat on the Southern NH Planning Commission. He noted that there are also vacant alternate seats on the SNHPC that can be filled.

**Approval of Minutes**

Members Sitting for Approval of Minutes: Jonathan Wood; Carolyn Matthews; Jim Kent; Jack Barnes; Gretchen Gott; Bill Cantwell.

MOTION: Bill Cantwell made a motion to approve the minutes of October 29, 2009 as amended. Jim Kent seconded. The motion passed with a vote of 4-0-2, with Carolyn Matthews and Jack Barnes abstaining.

**Work Session- Zoning Amendments**

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Jim Kent; Jack Barnes; Gretchen Gott; Bill Cantwell.

The Planning Board continued its work on zoning amendments for the 2010 warrant. Jonathan Wood recapped the list of zoning amendment proposals currently before the Board, and noted two new amendments that he would like to consider:

**ZONE A**

Jonathan Wood explained that, as a result of the emergency situation caused by the discovery of contaminated water in the Blueberry Hill Road area, an extension of the Town Water system has been discussed, and may be required. He noted that currently, extension of the water line is all that is necessary to change zoning to Zone A. The Board discussed several possibilities and issues surrounding this situation.

Carolyn Matthews suggested utilizing RSA 674:23, which allows for a temporary moratorium on building permits in an emergency situation. Community Development Director Cartier Creveling noted that the zoning amendment deadline is next week, but added that staff would work with Legal Counsel to address the situation and bring something before the Board next week.

Jack Barnes noted that US Senator Jeanne Shaheen has been working on obtaining federal funding for the Town for the extension of the water line. He also noted that Town Manager Chris Rose has been in contact with Senator Shaheen's office about the situation.

#### LIMITS ON VARIANCES

Jonathan Wood distributed a new amendment proposal that would place time limits on the term of a variance granted by the Zoning Board of Adjustment. The Board agreed to discuss this at its next meeting.

#### FLUVIAL EROSION HAZARDS ORDINANCE

Carolyn Matthews outlined the proposed Fluvial Erosion Hazards Ordinance. She first offered a "plain language" definition of Fluvial Erosion Hazards. Next, she recapped the work that the State of New Hampshire has accomplished over the past few years, and what work will be done in the near future regarding Fluvial Erosion Hazards. Third, she gave a brief overview of the public informational session held on Saturday November 7, 2009.

Ms. Matthews next guided the Board through proposed amendments to the draft Fluvial Erosion Hazards Ordinance. She requested, and the Board was polled on the proposed changes to the draft:

1. Does the Board agree with omitting the inclusion of driveways in footprint requirements?

#### POLL RESULTS

Jim Kent - Yes

Bill Cantwell - Yes

Gretchen Gott - Yes

Carolyn Matthews - Yes

Jack Barnes - Yes

Jonathan Wood - Yes

2. Which of the following minimum footprint sizes should be utilized in the Ordinance for permitted accessory structures within the FEH zone?
  - a. 300 square feet
  - b. 500 square feet
  - c. 576 square feet

#### POLL RESULTS

Jim Kent - 576 sf

Gretchen Gott - 576 sf

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Jack Barnes – 576 sf  
Bill Cantwell – 576 sf

Carolyn Matthews – 500 sf  
Jonathan Wood – 576 sf

3. Should the definition of “fill” be amended to add the following:

*Any deposited material that changes the natural grade or contour, or increases elevation of the land surface, or diminishes the flood storage capacity at a site.*

POLL RESULTS

Jim Kent – Yes  
Gretchen Gott – Yes  
Jack Barnes – Yes

Bill Cantwell – Yes  
Carolyn Matthews – Yes  
Jonathan Wood – Yes

4. Should the current fill restriction of 30 cubic yards be omitted from the Ordinance?

POLL RESULTS

Jim Kent – Yes  
Gretchen Gott – Yes  
Jack Barnes – Yes

Bill Cantwell – Yes  
Carolyn Matthews – Yes  
Jonathan Wood – Yes

MOTION: Gretchen Gott made a motion to forward the Fluvial Erosion Hazards Ordinance to the December 17, 2009 public hearing, and to legal counsel as soon as possible. Jim Kent seconded. The motion passed with a unanimous vote of 6-0-0.

SPRINKLER ORDINANCE

The Board next discussed implementation of a Sprinkler Ordinance which will require sprinkler systems be installed in all new construction single-family and two-family homes, and also within homes where over 50% of the home is opened to the studs, for extensive renovation.

Jack Barnes noted the State of New Hampshire has been working on sprinkler system requirements for some time. He expressed concern that the Town may pass something drastically different from what the State may require. Jonathan Wood replied when the State makes any changes, the Town will follow suit. Carolyn Matthews suggested including a note establishing that the more stringent standard will apply.

Community Development Director Cartier Creveling noted there may be some issues with this Ordinance. These may include, but not be limited to length of cul-de-sacs and off-site exactions for installation of cisterns, however it was noted that no off-site exactions have been collected for a number of years.

Jonathan Wood asked if the Planning Board would like staff to come back at the next meeting with a more solidified version of this Ordinance. The Board agreed unanimously.

#### ARCHITECTURAL STANDARDS

Gretchen Gott explained this is not ready for discussion this year. She asked if the Board would like her to continue pursuing architectural standards for next year.

Carolyn Matthews suggested involving the Exit 5 Advisory Committee and members of the public when continuing work on architectural standards.

Gretchen Gott requested that specific work session dates be designated over the next year to discuss this topic.

#### AMERICANS WITH DISABILITIES ACT (ADA) ZONING AMENDMENTS PROPOSED BY A CITIZEN - JOHN VETNE

John Vetne explained this came about as a result of a couple of citizens needing to obtain a variance for an accessibility ramp. He explained the suggestion is to allow the Code Enforcement Officer discretion to allow construction of accessibility ramps with a caveat that the ramp shall exist only as long as the need for the ramp exists. Once the need goes away, the people residing in the home, or the successors as the case may be, shall seek permission for the ramp to remain, or it will be torn down. He noted in situations where the Code Enforcement Officer does not wish to make a determination, then the regular process shall preside (application to the Zoning Board of Adjustment).

Community Development Director Cartier Creveling noted that Code Enforcement Officer Mailhot has not yet made comment on this proposal, nor has it been reviewed by Legal Counsel.

MOTION: Gretchen Gott made a motion to forward Mr. Vetne's proposal to the December 17, 2009 public hearing, and Town staff and legal counsel shall review and make comment on the proposal prior to the public hearing. Jack Barnes seconded. The motion passed with a unanimous vote of 6-0-0.

#### ZONE G CONSISTENCY

Jonathan Wood explained there is an inconsistency with the Zoning Ordinance with how Zone G land is taken into account in different parts of the Zoning Ordinance.

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Bill Cantwell expressed concern with the proposed changes to the Conservation Subdivision Ordinance because it has yet to be tested, as no applications for Conservation Subdivision have come forward since the Ordinance was amended in March 2009.

Carolyn Matthews noted at this year's Municipal Law Lecture Series, it was noted that most Towns are eliminating consideration of Zone G land in calculations.

Jim Kent stated he feels it is unreasonable to consider increased density for land adjacent to Zone G land. He added he feels the calculations currently within the Conservation Subdivision Ordinance are far too complicated.

Jonathan Wood stated the Board will bring this topic up again at its next meeting.

**Work Session – Excavation Regulations**

The Planning Board tabled this discussion to a later meeting.

**Other Business**

Community Development Director Cartier Creveling noted that Town Staff has, in the last few days, received additional amendments unexpectedly. Currently, the complete list of proposed zoning amendments is as follows:

1. Fluvial Erosion Hazards
2. Residential Sprinkler Ordinance
3. Americans with Disabilities Act Amendment
4. Zone G Consistency
5. Time Limits on Variances
6. Impact Fee Amendment
7. Workforce Housing
8. Groundwater Conservation District
9. Riparian Buffer Amendment
10. Zone A/Water line Extension

**Adjournment**

**MOTION:** Bill Cantwell made a motion to adjourn. Carolyn Matthews seconded. The motion passed with a unanimous vote of 6-0-0. The meeting adjourned at 10:05 p.m.

Respectfully submitted,

Robert Price

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Planning Technician